



General Assembly

January Session, 2001

Raised Bill No. 5376

LCO No. 2174

Referred to Committee on Government Administration and
Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE ABSENTEE BALLOT PROCESS.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (b) of section 9-140 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (b) A municipal clerk may transmit an application to a person under
4 this subsection by facsimile machine. If a municipal clerk has a
5 facsimile machine, an applicant may return a completed application to
6 the clerk by such a machine, [provided the applicant shall also mail
7 the original of the completed application to the clerk, either separately
8 or with the absentee ballot that is issued to the applicant. If the clerk
9 does not receive such original application by the close of the polls on
10 the day of the election, primary or referendum, the absentee ballot
11 shall not be counted.]

12 Sec. 2. Subsection (a) of section 9-158d is of the general statutes is
13 repealed and the following is substituted in lieu thereof:

14 (a) The application for a presidential ballot shall be [a form signed in
15 duplicate by the applicant under penalty of false statement in absentee
16 balloting, which] in the form of an affidavit executed in duplicate, and
17 sworn to before an officer authorized to administer oaths, and shall
18 provide substantially as follows:

19 To the Town Clerk of the Town of Connecticut

20 I, the undersigned, [declare under penalty of false statement in
21 absentee balloting] swear that the following statements are true:

22 1. I am a citizen of the United States.

23 2. I have not forfeited my electoral privileges because of conviction
24 of a disfranchising crime.

25 3. I was born on, and on the day of the next presidential election,
26 I shall be at least 18 years of age. Check and complete 4 or 5, whichever
27 applies:

28 4. RESIDENT. I am a bona fide resident of the above town, to which
29 I am making this application, and I reside at Street. I moved to said
30 town on the day of, 19... Before becoming a resident of said town,
31 I resided at Street, in the Town of County of, State of

32 5. FORMER RESIDENT. I am a former resident of the above town,
33 to which I am making this application, and resided at Street therein.
34 I moved from such town to my present town of residence on the
35 day of, 19.., being within thirty days before the date of the next
36 presidential election, and for that reason I cannot register to vote in
37 said presidential election in my present town of residence. I am now a
38 bona fide resident of the Town of, in the state of, now residing at
39 Street therein.

40 6. I hereby apply for a "presidential ballot" for the election to be held
41 on, 19... I have not voted and will not vote otherwise than by this
42 ballot at that election. I am not eligible to vote for electors of President

43 and Vice-President in any other town in Connecticut or in any other
44 state.

45 7. The said ballot is to be given to me personally mailed to me at
46 (bona fide mailing address)

47 Dated at ..., this ... day of ... 19...

48 (Signature of applicant)

49 Subscribed and sworn to before me this.....day
50 of.....20.....(signature and title of officer administering oath)

51 The oath administered in connection with any such application may
52 be administered by any officer empowered to administer oaths under
53 section 1-24 or any officer empowered to administer oaths under the
54 laws of any state or by any commissioned officer in the armed forces,
55 or any consul, vice consul or deputy consul representing the United
56 States in a foreign country, and shall be attested by such officer over
57 the officer's signature and title or statement of rank.

58 Sec. 3. Section 9-153e of the general statutes is repealed and the
59 following is substituted in lieu thereof:

60 The following persons may apply before a regular election for a blank
61 absentee ballot to vote for all offices being contested at the election, due
62 to military or other contingencies which preclude normal mail delivery
63 to such persons: (1) A member of the armed forces who is an elector or
64 an applicant for admission as an elector, or the member's spouse or
65 dependent if living where such member is stationed, [may apply
66 before a regular election for a blank absentee ballot to vote for all
67 offices being contested at the election] and (2) an elector or applicant for
68 admission as an elector who is living, or expects to be living or traveling,
69 outside the territorial limits of the several states of the United States and
70 the District of Columbia, before and on election day. The clerk shall
71 make such ballots available for this purpose beginning not earlier than

72 ninety days before the election. Application shall be made upon a form
 73 prescribed by the Secretary of the State or on the federal postcard
 74 application form provided pursuant to the Uniformed and Overseas
 75 Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et seq., as
 76 amended from time to time, or any other applicable law. [and shall be
 77 issued only if the applicant states that due to military contingencies the
 78 regular application procedure, as set forth in section 9-140, cannot be
 79 followed.] Upon receipt of the application, the municipal clerk shall
 80 issue the ballot, which shall be prescribed and printed by the Secretary
 81 of the State, and a list of the offices to be voted upon indicating the
 82 number of individuals for which each elector may vote. As soon as a
 83 complete list of nominated candidates, including the party
 84 designations of such candidates, and questions is available, the clerk
 85 shall send such list to each applicant. If the list of candidates and
 86 questions is not available when the ballot is issued, the clerk shall
 87 include a statement indicating that such list shall be mailed as soon as
 88 it becomes available. The ballot shall permit the elector to vote by
 89 writing in the names of specific candidates and offices for which he is
 90 voting. The elector may also vote on the questions in a manner
 91 prescribed by the Secretary of the State. [If the military contingency no
 92 longer exists, application for an additional ballot for all offices may be
 93 made pursuant to the provisions of section 9-153b.]

94 Sec. 4. Subsection (a) of section 9-158e of the general statutes is
 95 repealed and the following is substituted in lieu thereof:

96 (a) Upon receipt of an application for a presidential ballot under
 97 sections 9-158a to 9-158m, inclusive, the clerk, if satisfied that the
 98 application is proper and that the applicant is qualified to vote under
 99 said sections, shall forthwith give or mail to the applicant, as the case
 100 may be, a ballot for presidential and vice-presidential electors for use
 101 at the election and instructions and envelopes for its return. Each
 102 resident of a town who applies for a presidential ballot in person shall
 103 apply for admission as an elector of such town before the clerk shall
 104 give the applicant a presidential ballot. At [such time the clerks] the

105 time that the clerk gives or mails a presidential ballot to the applicant,
106 the clerk shall also mail a duplicate of the application to the
107 appropriate official of (1) the state or the town in this state in which the
108 applicant last resided in the case of an applicant who is a resident, or
109 (2) the state or the town in this state in which the applicant now resides
110 in the case of an applicant who is a former resident.

Statement of Purpose:

To (1) eliminate the requirement that an absentee ballot applicant who faxes the application to the municipal clerk also mail the original of the application to the clerk, (2) require all presidential ballot applications to be notarized, (3) allow persons who are living or traveling outside the United States and do not receive regular mail, for example, Peace Corps volunteers, to have absentee ballots mailed to them ninety days before the election, instead of the normal forty-five days before the election, and (4) require residents of a town who apply for presidential ballots in person to register to vote in said town.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]